

Model Policy on Restrictive Behavioral Intervention

Section 1. Statement of Purpose

1.1 It is the policy of this school district/supervisory union that students not be subjected to the unreasonable use of restrictive behavioral interventions, and that there be a common understanding within the District/Supervisory Union of appropriate interventions by District staff.

Section 2. Definitions

2.1 Timeout room. A timeout room is a designated room apart from a student's assigned class or activity. It is used to separate a student from others for the purpose of eliminating, or at least reducing, the occurrence and/or intensity of harmful behavior or to enable the student to regain composure and return to class or other activity. A planning room or other area used as a place in which to meet with a student to discuss his or her behavior is not a timeout room.

2.2 Physical restraint. Physical restraint is the use of physical means by a trained staff member to prevent imminent harm to a student or other persons, or damage to property. Physical restraint does not include the following:

- a. Brief periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with minimal force and designed either (i) to prevent a student from completing an act that potentially would result in physical harm to him or herself, or another person, or damage to property, or (ii) to remove a disruptive student who is unwilling to voluntarily leave an area; or
- b. Holding a student's hand or arm to escort the student safely from one area to another.

2.3 Mechanical or chemical restraint. Mechanical or chemical restraint is the use of any device or substance to restrict a student's movement or limit a student's sensory or motor functions. The term does not include devices used in accordance with prescriptions by health professionals for the purpose of maintaining body alignment or support, or to limit sensory stimuli.

2.4 Positive Behavior Intervention. A positive behavior intervention is an approach to a student's behavior designed to teach and support socially appropriate conduct and to supplant socially inappropriate conduct.

2.5 Functional Behavioral Assessment. A functional behavioral assessment is an analysis of a student's behavior patterns before, during, and after rule-breaking or other incident of inappropriate behavior for the purpose of guiding the development of a behavioral intervention plan.

2.6 Behavioral Intervention Plan. A behavioral intervention plan prescribes strategies for dealing with a student before, during, and after rule-breaking or other inappropriate behavior.

Section 3. Generally

3.1 Except with respect to documentation requirements set forth in Section 8.1, when a student is the subject of an individualized education program (IEP) or §504 plan addressing, among other things, responses to the student's dangerous behavior, that plan shall take precedence over the guidelines set forth in this policy. A written explanation shall be contained within the IEP or Section 504 plan for any specific deviation from the requirements of this policy.

Section 4. Timeout Room

4.1. Purpose. A timeout room may be used to aid a student to compose him or herself. It shall not be used for staff convenience or student punishment.

4.2. Duration. A timeout room may be used only so long as is necessary for the student to compose him or herself. If the student's behavior remains dangerous after 30 minutes, continued use must be authorized by the principal or his or her designee.

4.3. Observation. A student in a timeout room shall be appropriately monitored. If the circumstances suggest that a student poses a risk of harm to him or herself or others, he or she must be kept under the direct observation of a staff member.

4.4. Characteristics. A timeout room shall:

- a. be large enough to permit safe movement;
- b. permit safe entry and exit and shall not be locked in any way that would prevent the student from leaving, unless the room is equipped with automatic releases for fire alarms; and
- c. be adequately lit, heated, ventilated, and free of sharp or otherwise dangerous objects.

Section 5. Physical Restraint

5.1. Purpose. The purpose of physical restraint is to reduce or eliminate imminent risk either of harm to a person or of damage to property. Physical restraint may not be used for staff convenience or student punishment.

5.2. Use. Physical restraint may be used with a student only when there is imminent risk either of harm to the student or others or of property damage. Additionally, reasonable and necessary force may be used to quell a disturbance, obtain possession of weapons or other dangerous objects upon the person of or within the control of the student, for the purpose of self-defense, or for the protection of persons or property.

5.3. By trained staff. Only staff trained in the proper use of physical restraint may apply it, unless no such staff member is available. The District will endeavor to provide training to an appropriate number of staff members in each school that includes instruction in (a) a continuum of prevention techniques; (b) a continuum of de-escalation techniques; (c) environmental management; (d) nationally recognized methods of physical management and restraint; and (e) appropriate documentation and notification procedures.

5.4. Duration. Physical restraint may be used only so long as is necessary for the student to compose him or herself. If the student's behavior remains dangerous after 30 minutes, continued use must be authorized by the principal or his or her designee. If continued use of physical restraint is ineffective, the principal or his or her designee shall contact the student's parent(s) for assistance, or seek assistance from law enforcement or other emergency service personnel.

5.5. Limitations. No physical restraint may be administered in such a way that the student is prevented from breathing or communicating, or that causes the student unnecessary pain.

5.6. Observation. To the extent practicable, physical restraint may not be used by any staff member except in the presence of another staff member.

Section 6. Mechanical restraint

6.1 Except as otherwise set forth in this policy, mechanical restraints may not be employed.

Section 7. Pattern of Behavior

7.1. When a student's IEP team or Section 504 team determines that, based upon a pattern of behavior, the use of a timeout room or physical restraint is likely, the team shall consider ways to address the student's behavior, including, where applicable, performing a functional behavioral assessment and formulating a behavioral intervention plan which makes provision for the use of positive behavior interventions.

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Section 8. Documentation and notification

8.1 Documentation. The principal or his or her designee shall prepare a report of each use of a timeout room or physical restraint as soon as practicable, but in no event later than two school days after its use. The report shall be used to maintain data on the frequency and use of restrictive behavioral interventions, and include at least the following information:

- a. Name of the student;
- b. Date of events leading to use;
- c. Location of events leading to use;
- d. Description of events leading to use;
- e. Description of the student's behavior immediately prior to use;
- f. Description of use;
- g. Name of staff member(s) involved in use; and
- h. Time and duration of use.

8.2 Notification

8.2.1. Of all parents. Before the start of each school year, the school shall inform parents or guardians of all students about this policy.

8.2.2. Of a student's parents. Unless otherwise requested by a student's parent(s) or guardian(s), the school shall take and document reasonable steps to notify them that the student has been subjected to use of a timeout room or physical restraint, ideally on the same day but in no event later than two business days after such use.

8.2.3. Of Principal. The report of each use of a timeout room or physical restraint shall be submitted upon its preparation to the principal or designee.